

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. C-04-5096 CW (JCS)

Plaintiff(s),

v.

**NOTICE OF REFERENCE, TIME  
AND PLACE OF HEARING  
(E-FILING CASES)**

DENISE L. MOORE,

Defendant(s).

TO ALL PARTIES AND COUNSEL OF RECORD:

The above matter has been referred to Magistrate Judge Joseph C. Spero for a report and recommendation regarding Plaintiff's Motions for Default Judgment and for Entry of Default.

The hearing on Plaintiff's motions has been set for **September 23, 2005, at 9:30 a.m.**, in Courtroom A, 15th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California. The opposition(s), if not already filed, shall be electronically filed and served no later than twenty-one (21) days prior to the hearing. Any reply to the opposition(s) shall be electronically filed and served no later than fourteen (14) days prior to the hearing. All documents shall be filed with the Clerk's Office in compliance with Civil Local Rules 7-2 through 7-5. Documents not filed in compliance with those rules will not be considered by the Court. Any party seeking an award of attorney's fees or other expenses in connection with this motion shall file a motion in accordance with Civil Local Rule 37-1(e).

**LAW AND MOTION HEARING PROCEDURES**

Civil law and motion is heard on Friday mornings, at 9:30 a.m., in Courtroom A, 15th Floor, United States District Court, 450 Golden Gate Avenue, San Francisco, California 94102. Motions to compel may be noticed without reserving a hearing date, subject to the Court's availability.

1 Discovery motions may be addressed to the Court in three ways. A motion may be noticed on not  
 2 less than 35 days notice pursuant to Civil L. R. 7-2. Alternatively, any party may seek an order  
 3 shortening time under Civil L. R. 6-3 if the circumstances justify that relief. In emergencies during  
 4 discovery events, the Court is available pursuant to Civil L. R. 37-1(b). In the event a discovery  
 5 dispute arises, counsel for the party seeking discovery shall in good faith confer **in person** with  
 6 counsel for the party failing to make the discovery in an effort to resolve the dispute without court  
 7 action, as required by Fed. R. Civ. P. 37 and Civil L. R. 37-1(a). The meeting must be **in person**,  
 8 except where good cause is shown why a telephone meeting is adequate. A declaration setting forth  
 9 these meet and confer efforts, and the final positions of each party, shall be included in the moving  
 10 papers. The Court will not consider discovery motions unless the moving party has complied with  
 11 Fed. R. Civ. P. 37 and Civil L. R. 37-1(a).

12 **A party or counsel has a continuing duty to supplement the initial disclosure when**  
 13 **required under Federal Rule of Civil Procedure 26(e)(1).**

14 Law and motion matters may be submitted without argument upon stipulation of the parties  
 15 and notification of the Court no later than 4:30 p.m. the day before the hearing. Pursuant to Civil  
 16 L. R. 7-7(e), filed motions may be withdrawn without leave of the Court, within seven (7) days of the  
 17 date for service of the opposition. Thereafter, leave of the Court must be sought.

#### 18 **ELECTRONIC FILING AND COURTESY COPIES**

19 Please refer to Civil L. R. 5-4 and General Order No. 45 for the Northern District of  
 20 California for information relating to electronic filing procedures and requirements. All documents  
 21 shall be filed in compliance with the Civil Local Rules. Documents not filed in compliance with  
 22 those rules will not be considered by the Court.

23 **BEFORE 5:00 P.M. ON THE NEXT BUSINESS DAY FOLLOWING THE ELECTRONIC**  
 24 **FILING, THE PARTIES ARE REQUIRED TO LODGE DIRECTLY WITH CHAMBERS ONE**  
 25 **PAPER COPY OF EACH DOCUMENT, WHICH IS TO BE DESIGNATED "JCS'S CHAMBERS'**  
 26 **COPY."** All filings of documents relating to motions referred to Magistrate Judge Spero shall list  
 27 the civil case number and the district court judge's initials followed by the designation "(JCS)".  
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**The failure of counsel or a party to abide by this Order may result in sanctions pursuant to Federal Rule of Civil Procedure 16(f).**

IT IS SO ORDERED.

Dated: July 13, 2005

/s/ Joseph C. Spero  
JOSEPH C. SPERO  
United States Magistrate Judge